CHARTER

OF THE

CITY OF RALEIGH,

AND

AMENDMENTS THERETO,

CODIFIED AND CONSOLIDATED.

BY J. C. L. HARRIS,
City Attorney.

RALEIGH, N. C.:
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CHARTER

OF THE

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CITY OF RALEIGH.

To continue a corporate body. Name.

SECTION 1. *The General Assembly of North Carolina do enact:* That the inhabitants of the City of Raleigh shall be, and continue as they heretofore have been, a body politic and corporate, and henceforth the corporation shall bear the name and style of "The City of Raleigh," and under such name and style, is hereby invested with all property and rights of property, which now belong to the corporation, under any other corporate name or names heretofore used; and, by this name may acquire and hold, for the purpose of its government, welfare and improvement, all such estate as may be devised, bequeathed or conveyed to it, not exceeding in value three hundred thousand dollars, and the same may, from time to time, sell, dispose of and invest as shall be deemed advisable by the proper authorities of the corporation.

Divisions or Wards.

SEC. 2. That the City shall be divided into three divisions or wards, denominated Eastern, Middle, and Western, each of which shall extend across the city, from the Northern to the Southern limits, and shall be bounded as follows: The Middle Ward shall contain all that part of the city which lies between the middle of Wilmington street on the East, and the Middle of Salisbury on the West.

Who may vote.

SEC. 3. That no person shall be entitled to vote for mayor or commissioners, unless he shall be an elector of the State of North Carolina and shall have resided next preceding the day of election ninety days within the corporation and thirty days in the ward in which he claims to be a voter.

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Eligibility of Mayor and Commissioners.

SEC. 4. That no person shall be eligible as mayor or commissioner, alderman or other officer, unless he shall be a qualified voter as prescribed in section three of this charter.

When the polls shall be opened

SEC. 5. That, in all elections, the polls shall be opened in the several wards of the city at any point in the Eastern and Western wards that may be designated by the board of commissioners, and at the Court House in the Middle ward; and that each voter shall vote in the ward in which he shall be registered.

Registration.

SEC. 6. That a registration shall be had of the voters of the several wards and that a copy of the registration of each ward shall be furnished the poll-holders, and no person shall be allowed to vote unless his name be found thereon.

When Registration shall close —persons not twenty-one may register.

SEC. 7. That the registration shall be closed ten days before the election, and after the closing of the same, no person shall be allowed to register; however, the registrar is authorized and empowered before said book, shall be closed to register therein all persons who, not then being of the age of twenty-one years, but otherwise qualified to register, who may arrive at the age of twenty-one years on or before the day of election.

Appointment of registrars.

SEC. 8. That the mayor shall appoint suitable persons to act as registrars in the several wards of the city, and the registration shall close on the tenth day before the first Monday in May in each year.

Registration books open for inspection.

SEC. 9. That within twenty-four hours after the close of the registration for each election, the registration books shall be deposited in the office of the mayor of the city, and be opened for the inspection of the citizens.

Challenge on day of election.

SEC. 10. It shall be lawful to challenge the right of any person to vote, either on the day of election when he offers to vote, or on the day of registration when he offers to register; and, if it shall appear to the judges of election or a majority thereof, or to the registering officer, that such

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person is disqualified, he shall be excluded from registration, or, if he has been registered, from voting.

Annual election.

SEC. 11. That there shall, annually on the first Monday of May in each year, be elected a mayor and nine commissioners, who shall hold their office until their successors are qualified, the mayor to be elected by the qualified voters of the whole city, and for the commissioners, three shall be chosen for the Middle ward, three for the Eastern and three for the Western, by the voters therein.

Inspectors to be appointed and sworn.

SEC. 12. That, for the purpose of electing said officers, the commissioners shall, at least twenty days before the election, appoint three inspectors for each ward, who shall be a qualified voter, and the inspectors shall give ten days notice thereof by public advertisement; and the inspectors before they proceed to act, shall be sworn by the mayor, or a justice of the peace, to conduct the election fairly and impartially, and according to law, and in case of the absence of any inspector, his place shall forthwith be supplied by the commissioners.

Inspectors to hold elections.

SEC. 13. That, on the day of election, the inspectors shall give due attendance at the time and place, shall be judges of the polls, receive the votes and conduct the election in like manner, and during the same hours of the day as elections for members of the General Assembly.

Separate ballot-boxes.

SEC. 14. The candidates for mayor and commissioners shall be voted for in separate boxes and on a separate ballot, written or printed.

To count votes.

SEC. 15. That, at the close of the election, the votes shall be counted by the inspectors, and such person voted for as mayor having the largest number of votes, shall be declared duly elected mayor, and such persons voted for as commissioners having the largest number of votes, shall be declared duly elected commissioners of their respective wards; and the mayor and commissioners shall be notified of their election by the inspectors.

In case of a tie, Commissioners to elect.

SEC. 16. That, if among the persons voted for as mayor, there shall be an equal number of votes between any two

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or more having the largest nnmber, the commissioners elect shall proceed within five days after their qualification, to select a mayor of such persons; and, if among the persons voted for as commissioners, there shall be a like tie, the remaining commissioners within five days after their qualification, shall select of such, the person or persons to be commissioners.

Poll lists.

SEC. 17. That the inspectors shall certify and subscribe two poll lists, and return one of them to the clerk of the board of commissioners, who shall keep them among the archives of the city, and the other to the register of deeds for the county.

Mayor's oath.

SEC. 18. That the mayor, immediately after his election and before entering on the duties of his office, shall take the following oath: "I, A. B., do solemnly swear, that I will diligently endeavor to perform faithfully and truly, according to my best skill, judgment and ability, all the duties of the office of mayor of the city of Raleigh, while I continue therein, and will cause to be executed as far as in my power lies, all the laws, ordinances and regulations made for the government of the city; and, in the discharge of my duties, I will do equal justice in all cases whatsoever."

Commissioner's oath.

SEC. 19. That each commissioner, before entering on the duties of the office, shall take before the mayor or some justice of the peace an oath that he will truly and impartially perform the duties of commissioner for the city, according to the best of his skill, ability and judgment.

Term of office.

SEC. 20. That the mayor and commissioners shall hold their offices respectively, until the next succeeding election, and until their respective successors are qualified.

Vacancies how filled.

SEC. 21. That, if any person chosen mayor shall refuse to be qualified, or there is any vacancy in the office after election and qualification, the commissioners shall choose some qualified person mayor for the term, or the unexpired portion of the term, as the case may be; and, on like occasion, and in like manner, the commissioners shall

choose other commissioners to supply the place of such as shall refuse to act, and all vacancies which may occur; and such persons only shall be chosen as are hereafter declared to be eligible.

Penalty for refusing to qualify.

SEC. 22. That any person elected mayor or commissioner, who shall refuse to be qualified and act as such, shall forfeit and pay for the equal use of the city, and of him who will sue therefor, twenty-five dollars.

Penalty for failure to hold election.

SEC. 23. That if the commissioners shall fail to give the notice of election, or to hold and declare the same in the manner herein prescribed, such of them as shall be in default, shall forfeit and pay for the equal use of the city, and of him who will sue therefor, one hundred dollars.

Shall not lose rights or privileges by failure to elect.

SEC. 24. That no incorporated town or village in this State shall lose any of its corporate rights and privileges by failure to elect officers on any first Monday in May.

Election—how to be called and held if not held on day appointed.

SEC. 25. That in case of failure to elect municipal officers on any said first Monday in May in any incorporated town or village in the State, the electors residing within such incorporation limits, may, after ten days notice, signed by any three of said electors, and posted up at three places within any corporation limits, proceed to hold an election for municipal officers in the way and manner provided for in Battle's Revisal, chapter one hundred and eleven.

Mayor's powers.

SEC. 26. That the mayor, within the corporate limits, shall have all the powers and authority of a justice of the peace to preserve and keep the peace, and may cause to be arrested and detained, criminals who fly to the city from other States or counties, and shall cause to be arrested and bound for their appearance at the proper tribunal, to answer for their offences, all persons offending against the laws of the State, or against the laws, ordinances and regulations of the corporation. He shall also have within the same limits as a judicial officer, all the powers, jurisdiction and authority of a justice of the peace, to issue process, to hear and determine all causes of action which

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may arise upon the ordinances and regulations of the city, to enforce penalties by issuing execution upon any adjudged violation thereof, and to execute the laws and rules which may be made by the commissioners: *Provided, nevertheless,* That he shall not have jurisdiction of cases of any nature or amount, other than of such where of a justice of the peace may take cognizance, unless specially allowed by this act.

Mayor to issue precepts.

SEC. 27. That the mayor may issue his precepts to constables of the city, and to such other officers to whom a justice of the peace may direct his precepts.

Mayor to keep a minute of official acts.

SEC. 28. That the mayor shall keep a faithful minute of the precepts issued by him, and of all his judicial proceedings. The judgments rendered by him shall have all the force, virtue and validity of judgments rendered by a single justice of the peace, and may be executed and enforced against the parties, in the county of Wake and elsewhere, in the same manner and by the same means as if the same had been rendered by a justice of the peace for the county of Wake.

Mayor's office.

SEC. 29. That the mayor shall keep his office in some convenient part of the city designated by the commissioners. He shall keep the seal of the corporation, and perform such duties as shall, from time to time, be prescribed; and he shall receive such compensation and fees as may be allowed by this act, and by the ordinances of the corporation.

Mayor to preside at meetings.

SEC. 30. That the mayor, when present, shall preside at all meetings of the board of commissioners, and when there is an equal division upon any question, or, in the election of officers by the board, he shall determine the matter by his vote. He shall vote in no other case, and, if he shall be absent, the board may appoint one of their number, *pro tempore*, to exercise the duties of the board.

Powers and duties of Commissioners.

SEC. 31. That the commissioners shall form one board, and a majority of them shall be competent to perform all the duties prescribed for the commissioners, unless other-

wise provided; within five days after their election, they shall convene for the transaction of business, and shall then fix stated days of meeting for the year, which shall be as often at least as once in every calendar month. The special meetings of the commissioners may also be held on the call of the mayor or a majority of the commissioners, and of every such meeting when called by the mayor, all the commissioners; and, when called by a majority of the commissioners, such as shall not join in the call, shall be notified in writing.

Failure to attend meetings

SEC. 32. That if any commissioner shall fail to attend a general meeting or any special meeting of which he shall have notice as aforesaid, unless prevented by such cause as shall be satisfactory to the board, he shall forfeit and pay for the use of the city the sum of two dollars.

Ordinances, by-laws, &c.

SEC. 33. That the commissioners, when convened, shall have power to make and provide for the execution thereof, such ordinances, by-laws, rules and regulations, for the better government of the city, as they may deem necessary: *Provided*, The same be allowed by the provisions of this act, and be consistent with the law of the land.

Power to borrow money, provide water, &c.

SEC. 34. That among the powers hereby conferred on the board of commissioners, they may borrow money only by the consent of a majority of the qualified registered voters, which consent shall be obtained by a vote of the citizens of the corporation after thirty days' public notice, at which time those who consent to the same, shall vote "approved," and those who do not consent, shall vote "not approved"; they shall provide water, provide for repairing and cleansing the streets, regulate the market, take all proper means to prevent and extinguish fires, make regulations to cause the due observance of Sunday, appoint and regulate city watches, suppress and remove nuisances, preserve the health of the city from contagious or infectious diseases, appoint constables to execute such precepts as the mayor and other persons may lawfully issue to them, to preserve the peace and order and execute the

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ordinances of the city, and shall appoint and provide for the pay, and prescribe the duties of all such other officers as may be deemed necessary.

Clerk, Treasurer, &c.

SEC. 35. That the commissioners, at their first meeting after their election, shall appoint a clerk, a treasurer, a collector of taxes, and one or more constables, who shall respectively hold their offices during the official term of the commissioners, subject however to be removed at any time and others appointed in their stead, for misbehavior or neglect in office. Before acting, each of said officers shall be sworn to the faithful discharge of his duty, and shall execute a bond payable to the city of Raleigh, in such sum as the commissioners shall determine.

Salary and duties of Clerk.

SEC. 36. That the clerk shall have a reasonable salary, and it shall be his duty to keep regular and fair minutes of the proceedings of the board, and to preserve all books, papers and articles committed to his care during his continuance in office, and deliver them to his successor, and generally to perform such other duties as may be prescribed by the commissioners.

Journals and papers of the Board.

SEC. 37. That every person shall be allowed to inspect the journals and papers of the board in presence of the clerk, on paying to him twenty-five cents for each inspection, under a penalty of two dollars on the clerk for every refusal, to be paid to him who will sue for the same.

Salary and duties of the Treasurer.

SEC. 38. That the treasurer shall have a reasonable salary, and it shall be his duty to call on all persons who may have in their hands any moneys, as securities, belonging to the city, which ought to be paid or delivered into the treasury, and to safely keep the same for the use of the city, to disburse the funds according to such orders as may be duly drawn on him in the manner hereinafter specified; he shall keep, in a book provided for that purpose, a fair and correct account of all moneys received and disbursed by him, and shall submit said account to the commissioners whenever required to do so; on the expiration of his

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term of office he shall deliver to his successor all the monics, securities and other property entrusted to him for safe keeping or otherwise, and during his continuance therein, he shall faithfully perform all duties lawfully imposed upon him as city treasurer.

Orders on Treasurer.

SEC. 39. That all orders drawn on the treasurer shall be signed by the mayor and countersigned by the clerk, and shall state the purposes for which the money is applied, and the treasurer shall specify said purposes in his accounts, and also the sources whence are derived the moneys received by him.

Transcript of receipts and disbursements.

SEC. 40. That the commissioners shall cause to be made out annually, a fair transcript of their receipts and disbursements on account of the city, for the general inspection of the citizens, and cause the same to be posted before the court house ten days before the day of the annual election of commissioners; and the commissioners failing to comply with the duties prescribed in this section shall forfeit and pay for the use of the city, and him who will sue therefor, one hundred dollars.

Duties of Constable.

SEC. 41. That it shall be the duty of the constable to see that the laws, ordinances and the orders of the commissioners are enforced, and to report all breaches thereof to the mayor; to preserve the peace of the city, by suppressing disturbances and apprehending offenders, and for that purpose he shall have all the powers and authority vested in sheriffs and county constables; he shall execute all precepts lawfully directed to him by the mayor or others, and in the execution thereof, shall have the same powers which the sheriff and constables of the county have; and he shall have the same fees on all process and precepts executed or returned by him which may be allowed to the constable of the county on like process and precept, and also such other compensation as the commissioners may allow.

Powers and fees of Constable.

SEC. 42. That the constable shall have the same powers and be bound by the same rules in this respect as con-

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stables of the county of Wake, to apprehend all offenders against the State within the limits of the city, and to carry them before the mayor or some justice of the peace, and for such duty he shall have the same fees as constables of said county, to be paid by the party offending, if found guilty, otherwise by the city.

Patrol.

SEC. 43. That the commissioners shall provide a patrol or watch for the city, and prescribe the duties and powers of the several officers, members and classes thereof, and shall pay such patrol or watch, or may class the inhabitants into such patrol or watch.

Watch.

SEC. 44. That the inhabitants, when classed into a watch, shall (each one, either in person or by a good substitute), serve in turn when ordered out by the mayor, or other persons appointed by the commissioners as directors of the watch.

Failing to serve.

SEC. 45. That any person being of the watch or patrol, and failing to serve and faithfully to discharge his duty, shall forfeit and pay to the city for each default, if an officer of the watch, two dollars, and if not, one dollar.

Sheriff or Jailor of Wake to receive prisoners.

SEC. 46. That the sheriff or jailor of the county of Wake is hereby required, without a mittimus, to receive into the jail of the county, as his prisoner, any person taken up in the night by the watch or constables, and to keep such person safely until the morning, when the offender shall be brought before the mayor, or some magistrate resident in the city, and be lawfully dealt with; and for such services the jailor shall be entitled to such fees as he is in other like cases.

Breach of official bonds.

SEC. 47. That for any breach of his official bond by the city clerk, constable, tax collector, or any other officer who may be required to give an official bond, he shall be liable in action on the same, in the name of the city, at the suit of the city, or any person aggrieved by such breach, and the same may be put in suit without assignment from time to time, until the whole penalty be recovered.

Auctioneers.

SEC. 48. That every person, appointed auctioneer for the city, shall enter in a book a daily account of all his sales, wherein shall appear as well the items sold as the aggregate of sales cast up at least once a week, and such accounts shall be open to the inspection of the commissioners, or any person authorized by them to make inspection.

To render abstract.

SEC. 49. That at the time required of auctioneers to render to the clerks of superior courts their account of money received on auction sales liable to tax, the auctioneer shall render to the treasurer of the city an abstract showing monthly the gross amount of such sales up to the time of rendering the account, which abstract shall be laid before the commissioners.

Auctioneer's commissions.

SEC. 50. That every auctioneer shall be entitled to two and one-half per cent. on the amount of sales unless otherwise agreed between him and the owner of the goods sold.

Penalty for violations.

SEC. 51. That if any auctioneer appointed for the city shall violate any of the provisions of chapter seven of Battle's Revisal entitled "auctions and auctioneers," or any of the duties herein prescribed, he shall forfeit and pay for the equal use of the city and him who will sue therefor, one hundred dollars.

Acting without authority.

SEC. 52. That if any one shall presume to act as auctioneer in the city without being duly authorized to do so, he shall be deemed guilty of a misdemeanor.

Taxes.

SEC. 53. That, in order to raise a fund for the expenses incident to the proper government of the city, the commissioners may annually levy and collect the following taxes, namely:

On real estate.

I. On real estate, situate in the city, a tax not exceeding fifty cents on every hundred dollars value.

On polls.

II. On all taxable polls a tax not exceeding three dollars a poll, who may be resident in the city on the first day of April of each year, or may have been so resident within sixty days next preceding that day.

On goods, &c.

III. On every hundred dollars value of goods, wares and merchandize, purchased for re-sale, by any merchant

trading in the city, within one year next preceding the first day of April, of the year in which the same is listed, a tax not exceeding twenty cents.

On omnibusses, &c.

IV. Upon the owner of every omnibus, sulkey, gig, buggy, barouche, carriage, or other vehicles, used in the city, for the carriage of persons, except stage coaches for the transportation of the mail, of which he may have been in possession on the first day of April of that year, a tax not exceeding ten dollars: *Provided*, said vehicles shall be exempt from the *ad valorem* tax.

On dogs.

V. Upon all dogs kept in the city, and which may be so kept on the first day of April, a tax not exceeding five dollars: *Provided, however*, That a discrimination within this limit may be made on the different species and sexes of dogs

On swine, &c.

VI. Upon all swine and goats, not prohibited by the commissioners to remain in the city, when confined, a tax not exceeding fifty cents a head.

On drays.

VII. Upon all drays in use on the said first day of April, or which have been used within six calender months previous thereto, a tax not exceeding ten dollars a year.

On encroachments.

VIII. Upon all encroachments on the streets by porches, piazzas, allowed by the commissioners, a tax not exceeding one dollar per square foot.

Time of rendering tax-lists.

54. That the citizens of Raleigh, and others liable to be taxed on account of any of the foregoing subjects, shall, on the first day of April, or within five days thereafter, render to the mayor, on oath, a list of their property and subjects for which they may be liable to be taxed; and if any person shall fail to render such list, he shall pay double the tax assessed on any subject for which he is liable to be taxed.

Appointment of Assessors—their duties.

SEC. 55. That, within one week after receiving the tax list, the mayor shall return the same to the commissioners, who shall forthwith appoint three respectable freeholders, one from each ward of the city, not of their own body, as assessors, who being duly sworn before the mayor, to do equal and impartial justice to all in the discharge of their

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duties, shall assess the cash value of the taxable real estate with its improvements, lying within the corporate limits of the city, and they shall make a list thereof, together with the names of the owners thereof, previous to laying the tax, and return it to the commissioners on or before the first day of May next ensuing; and the value of the real estate of the assessors shall be assessed by the commissioners.

Commissioners to lay taxes.

SEC. 56. That, as soon as the assessors shall have made their return, the board shall proceed to lay the taxes on such subjects of taxation as they may choose, and shall place the tax list in the hands of the collector for collection, who shall proceed forthwith in the collection, and shall complete the same on or before the first day of August next ensuing, and shall pay the moneys as they are collected, to the treasurer; and the collector, for his compensation, shall receive five per cent. on the amount collected.

On failure to pay taxes.

SEC. 57. That if any person liable to taxes on subjects directed to be listed, shall fail to pay them within the time prescribed for collection, the collector shall proceed forthwith to collect the same by distress and sale, after public advertisement for the space of ten days in some newspaper published in the city, if the property to be sold be personalty, and of twenty days if the property be realty.

Sale of real estate for taxes.

SEC. 58. That, when the tax due on any lot or other land (which is hereby declared to be a lien on the same) shall remain unpaid on the first day of August, and there is no other visible estate but such lot or land of the person in whose name it is listed, liable to distress and sale, known to the collector, he shall report the fact to the commissioners, together with a particular description of the real estate, and thereupon the commissioners shall direct the same to be sold upon the premises by the collector, after advertising for twenty days in some newspaper published in the city, which the collector shall do; and the collector shall divide the said land into as many parts as

may be convenient (for which purpose he is authorized to employ a surveyor,) and shall sell as many thereof as may be required to pay said taxes and all expenses attendant thereon. If the same cannot be conveniently divided, the collector shall sell the whole; and, if no person will pay the whole of the taxes and expenses for the whole land, the same shall be struck off to the city; and, if not redeemed, as hereinafter provided, shall belong to the said city in fee.

Clerk to make return of land sold, &c.

SEC. 59. That the collector shall return an account of his proceedings to the commissioners, specifying the portions into which the land has divided, and the purchaser or purchasers thereof, and the prices of each, which shall be entered on the book of proceedings of the commissioners, and if there shall be a surplus after paying said taxes, the same shall be paid into the city treasury, subject of the demand of the owner.

Owner may redeem.

SEC. 60. That the owner of any land sold under the provisions of this charter and amendments, his heirs, executors, and administrators, or any person acting for them, may redeem the same within one year after the sale, by paying to the purchaser, the sum paid by him, and twenty-five per cent. on the amount of taxes and expenses, and the treasurer shall refund to him, without interest, the proceeds, less double the amount of taxes.

If not redeemed, to be conveyed in fee.

SEC. 61. That if the real estate sold, as aforesaid, shall not be redeemed within the time specified, the corporation shall convey the same in full to the purchaser or his assigns; and the recitals in such conveyance, or in any other conveyance of land sold for taxes due the city, that the taxes were due, or if any other matter required to be true or done, before the sale might be made, shall be *prima facie* evidence that the same was true and done.

Real estate of infants, &c.

SEC. 62. That the real estate of infants or persons *non compos mentis*, shall not be sold for tax; and when the same shall be owned by such, in common with other persons free of such disability, the sale shall be made accord-

ing to section twenty-eight, sub-division four, chapter one hundred and two, of Battle's Revisal.

New streets, how to be opened.

SEC. 63. That when any land or right of way shall be required by said city of Raleigh for the purpose of opening new streets, or for other objects allowed by its charter, and for want of agreement as to the value thereof the same cannot be purchased from the owner or owners, the same may be taken at a valuation to be made by five freeholders of the city, to be chosen by the commissioners; and in making said valuation, said freeholders, after being duly sworn by the mayor, or a justice of the peace for the county, or a clerk of a court of record, shall take into consideration the loss or damage which may accrue to the owner or owners in consequence of the land or right of way being surrendered, also any special benefit or advantage such owner may receive from the opening of such street or other improvement, and shall state the value and amount of each, and the excess of loss or damage over and above the advantages, shall form the measure of valuation of said land or right of way: *Provided, nevertheless*, That if any person over whose land the said street may pass, or improvement be erected, or the commissioners, be dissatisfied with the valuation thus made, then, and in that case, either party may have an appeal to the next Superior Court of Wake county to be held thereafter; and the said freeholders shall return to the court to which the appeal is taken their valuation with the proceedings thereon; and the land so valued by the freeholders shall vest in the city so long as it may be used for the purposes of the same, as soon as the valuation may be paid or lodged in the hands of the Clerk of the Superior Court in case of its refusal by the owner of the land; *Provided, however*, That such appeal shall not hinder or delay the commissioners opening such street or erecting such improvement; *And, provided, further*, That in case of the discontinuance of the use of the land and its *reverter* to the owner, the city shall have the right to remove any improvement under its authority erected.

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Additional subjects of taxation

SEC. 64. That, in addition to the subjects listed for taxation, the commissioners may levy a tax on the following subjects, the amount of which tax, when fixed, shall be collected by the chief of police instantly: and if the same be not paid on demand, the same may be recovered by suit on the articles upon which the tax is imposed, or any other property of the owner may be forthwith distrained and sold to satisfy the same, namely:

On merchants or peddlers, &c.

I. Upon all itinerant merchants or peddlers, vending or offering to vend in the city, a tax of ten dollars a year, except such only as sell books, charts or maps, and such as sell only goods, wares and merchandise and other productions of the growth or manufacture of this State.

Billard tables, &c.

II. Upon every billiard table or bowling alley or other game allowed by law, and every victualling house or restaurant, established, used or kept in the city, a tax not exceeding fifty dollars a year.

Retailers of liquor.

III. Upon every permission of the board of commissioners to retail spirituous liquors, a tax not exceeding one hundred dollars.

Circusses.

IV. Upon every company of circus riders, who shall exhibit within the city or within one mile thereof, a tax not exceeding twenty-five dollars for each separate exhibition; the tax to be paid before the exhibition, and if not, to be double.

Theatricals.

V. Upon every person or company exhibiting in the city, or within one mile thereof, stage or theatrical plays, sleight of hand performances, rope dancing, tumbling, wire dancing or menageries, a tax not exceeding twenty dollars for every twelve hours allowed for exhibiting; the tax to be paid before exhibiting, or the same to be double.

Exhibitions.

VI. Upon every exhibition for reward or artificial curiosities, (models or useful inventions excepted) in the city, or within one mile thereof, a tax not to exceed twenty dollars, to be paid before exhibition, or the same shall be double.

Concerts, &c.

VII. Upon each show or exhibition of any other kind,

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and on each concert for reward, and on every strolling musician, a tax not exceeding ten dollars, to be paid before exhibition, or the same shall be double.

Goats or hogs.

VIII. Upon every goat or hog running at large in the city, there may be levied a tax not exceeding six dollars, and every such goat or hog may be seized and impounded, and if the owner, on being notified, will not pay the tax, the animal shall be sold therefor, at such place as the commissioners may designate, after three days notice at the Court House.

Horse, Mule, Bull.

IX. Upon every horse or mule or bull going at large, a tax not exceeding ten dollars.

Dogs.

X. Upon every dog which may be brought into the city after the first day of April, to be kept therein, a tax not exceeding five dollars for the permission to keep such dog in the city, which permission shall not extend further than the last day of March next ensuing.

Property not to be taxed.

SEC. 65. *Provided, nevertheless*, That no property or subjects of taxation, which are specially exempt from taxation, shall be taxed by the city.

Moneys arising from taxation.

SEC. 66. That all moneys arising from taxes, donations or other sources, shall be paid to the treasurer, and no appropriation thereof, shall be made but by a board constituted of a majority of all the commissioners.

Streets to be kept clean.

SEC. 67. That the commissioners shall cause to be kept clean and in good repair, the streets, side-walks, and alleys. They may establish the width and ascertain the location of those already provided, and lay out and open others, and may reduce the width of all of them; they may also establish and regulate the public grounds and protect the shade trees of the city.

When city repair sidewalks.

SEC. 68. That if any owner or lessee of lands in the city of Raleigh on being notified to repair his sidewalks according to law, shall avow his intention not to repair as ordered, the commissioners may have such repairs made immediately at the expense of the said owner or lessee. A notice of ten days by any officer of the city in writing shall be sufficient in any event.

1873
1 March

Owner to pay portion of expense to make sidewalk.

SEC. 69. Where there are no sidewalks, and has never been in existence in convenient walking order along any lot in said city, the owner shall be required to pay such portion of the expense of making a sidewalk along said lot as three assessors, unconnected with the owner, and disinterested, to be appointed by the commissioners, may estimate that said property is benefited by the improvement; such expense to be a lein on the property, enforceable as leins for repairing sidewalks under existing laws; *Provided*, That there shall be right of appeal by either party to the Superior Court.

Assessors to estimate damages to be appointed.

SEC. 70. Before making such apportionment, the assessors shall appoint a day when they shall hear parties interested on the subject, giving at least three days' notice of the time and place of their sitting. From their decision the city lot owners may appeal to the Superior Court of Wake, but the commissioners may, notwithstanding any appeal under this or any other act, proceed with the work of opening and grading the new street.

New street below Governor's Mansion.

SEC. 71. That the commissioners of the city of Raleigh are hereby authorized and empowered to open a street forty feet wide across the south end of the lot upon which the Governor's Mansion is now situated: *Provided*, the aforesaid commissioners will first agree to enclose the property, on both sides of said street, with a good plank fence and move such buildings as are now on the grounds over which said street may run, and place them in good repair on another side to be designated by the treasurer. *Provided further*, That the aforesaid commissioners of the city of Raleigh before commencing the work do file a bond with good approved security for the sum of one thousand dollars for the faithful performance of the aforesaid work, said bond to be filed with and approved by the State treasurer.

Power to grade streets, adorn sidewalks.

SEC. 72. That the board of commissioners of the city of Raleigh shall have power to grade, lay out in walks, plant with trees, shrubberry and flowers, and otherwise adorn Moore Square and Nash Square in said city, so as to make

them ornamental to the city, and to that end they shall have the general charge and management of said squares. They may improve in like manner any of the vacant lots belonging to the State within the city limits not otherwise specially appropriated.

Well-behaved persons to have free access to squares.

SEC. 73. Nothing herein contained shall be construed to authorize said commissioners to prevent the free access of well behaved persons to said square and lots, except at unreasonable hours, or for some temporary purpose specially to be designated by the board.

Privilege of erecting porches, &c., on streets.

SEC. 74. That the commissioners may grant the privilege of erecting porches or piazzas in front of any dwelling house already built on the line of any public street, providing such porch or piazza, including the steps thereof, shall not extend more than six feet into the street: *And, provided also*, That no bar or impediment be erected under or upon the same which may impede the air or view, and every such encroachment shall be measured and entered on their journals with the number of square feet which it embraces.

Cellars.

SEC. 75. That no cellar shall be built under any sidewalk in the city, or entrance established on the sidewalk to any cellar whereby the free passage of persons may be delayed, hindered or interrupted, and every offender herein shall forfeit and pay to the city twenty-five dollars for every day the same may remain.

Sidewalks.

SEC. 76. That every owner of a lot, or person having as great an interest therein as a lease for three years, which shall front any street on which a sidewalk has been established, shall improve, in such manner as the commissioners may direct, such sidewalk as far as it may extend along such lot; and, on failure to do so within twenty days after notice by the constable to said owner, or if he be a non-resident of the county of Wake, to his agent, or if such non-resident have no agent in said county, then, after advertisement for twenty days on such lot, and at the Court House door, calling on the owner to make such repairs,

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the commissioners may cause the same to be repaired either with brick, stone or gravel at their discretion, and the expense shall be paid by the person in default, said expense shall be a lien upon said lot, and if not paid within six months after the completion of the repairs, such lot may be sold, or enough of the same to pay such expense and costs, under the same rules, regulations and restrictions, rights of redemption and savings as are prescribed in said charter for the sale of land for unpaid taxes.

Officers not allowed to be contractors.

SEC. 77. That no mayor or commissioner, or other officer of the city, shall directly, or indirectly, become a contractor for work to be done for the city; and any person, herein offending, shall be guilty of a misdemeanor.

Abatement of nuisances.

SEC. 78. That the commissioners may require and compel the abatement and removal of all nuisances within the city at the expense of the person causing the same, or the owner or tenant of the ground whereon the same may be; they may also prevent the establishment, within the city, and may regulate the same, if allowed to be established, any slaughter-house or place, or the exercise within the city of any offensive or unhealthy trade, business or employment.

Dogs, &c., running at large.

SEC. 79. That the commissioners shall have power to prevent dogs, horses, cattle and all other brutes from running at large in the city.

Riding at improper speed.

SEC. 80. That they may prohibit and prevent, by penalties, the riding or driving of horses or other animals at a speed greater than six miles per hour, within the city; and also the firing of guns, pistols, crackers, gun-powder, or other explosive, combustible or dangerous materials, in the streets, public grounds, or elsewhere within the city.

Market.

SEC. 81. That the commissioners may establish and regulate the markets and prescribe what time and place, within the corporation, marketable articles shall be sold, in what manner, whether by weight or measure, may be sold, grain, meal, flour, (if not packed in barrels,) fodder,

hay, or oats in straw; may create scales to weigh the same; appoint a weigh-master and fix his fees, and direct by whom they shall be paid, appoint a keeper of the market, prescribe his duties and fees, and shall also have power to prevent forestalling and regrating.

Public buildings

SEC. 82. That they may establish all public buildings necessary and proper for the city, and prevent the erection or establishment of wooden buildings in any part of the city where they may increase the danger by fire.

Grave-yards.

SEC. 83. That they may provide grave yards in or near the city, and regulate the same; may appoint and pay a keeper, and compel the keeping and returning bills of mortality; and they may prohibit interments within the city.

Fire Companies

SEC. 84. That they may provide for the establishment, organization, equipment and government of fire companies; and, in all cases of fire, a majority of such of the commissioners as shall be present may, if they deem it necessary to stop the progress of the fire, cause any house to be blown up or pulled down; for which they shall not be responsible to any one in damages.

Contagious diseases.

SEC. 85. That they may take such measures as they deem effectual to prevent the entrance into the city, or the spreading therein of any contagious or infectious disease, may stop, detain, and examine for that purpose, every person coming from places believed to be infested with such disease, may establish and regulate hospitals within the city, or within three miles thereof; may cause any person in the city, suspected to be infected with such disease, and whose stay may endanger its health, to be removed to the hospital, may remove from the city, or destroy any furniture or other articles, which shall be suspected of being tainted or infected with contagious or infectious disease, or, of which there shall be reasonable cause to apprehend that they may pass into such a state as to generate and propagate disease; may abate by any

reasonable means, all nuisances which may be injurious to the public health.

Hospital expenses.

SEC. 86. That in case any person shall be removed to the hospital, the corporation may recover before the mayor or any justice of the peace, of such person, the expense of his removal, support, nursing and medical attendance, and burial expenses, also, in case of death.

Penalty for preventing removal

SEC. 87. That if any person shall attempt by force or by threat of violence, to prevent the removal to the hospital of any person ordered to be conveyed thither, the person so offending, shall forfeit and pay to the city one hundred dollars, and moreover be deemed guilty of a misdemeanor.

Retail licenses.

SEC. 88. That it shall not be lawful for the commissioners of Wake county to grant any license to retail spirituous liquors, within the limits of the city or within one mile thereof, without permission first obtained from the Board of City Commissioners in being at the time of the application to the county commissioners; and if any license shall be granted without permission in writing attested by the clerk of the board and exhibited to the court and filed with the clerk of the board of county commissioners, the same shall be utterly void, and the person obtaining such license shall be liable to indictment, as in other cases of retailing without a license, and for any offence of retailing, shall moreover forfeit and pay to the city the sum of twenty dollars.

Commissioners may prohibit sale of spirituous liquors. Proviso.

SEC. 89. That the corporate authorities of the several cities and towns of this State shall have power to regulate, restrain or prohibit within their corporate limits, or within one mile thereof, the sale of spirituous liquors: *Provided, nevertheless*, That when any tax shall have been paid for an annual license, it shall be the duty of the commissioners to make a *pro rata* compensation for such time as such license shall be suspended.

Penalting for violating city ordinances.

SEC. 90. That for the violation of any by-law, or rule made by said commissioners, they may prescribe penalties

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not exceeding one hundred dollars for each offense, to be recovered before the mayor, intendant or magistrate of police, without any stay of process, mesne or final, and when judgment shall be given for any such penalty, the party convicted may, unless the penalty and costs be paid, be immediately committed to jail for the space of thirty days, or until payment thereof shall be made, or else the mayor, intendant or magistrate of police may issue execution therefor: *Provided*, That any party, dissatisfied with such judgment, shall be allowed an appeal to the next Superior Court for the county, upon entering into recognizance with sufficient security for his appearance to said court, and also for the penalty and costs.

Penalties of minors.

SEC. 91. That all penalties incurred by any minor for the breach of any of the provisions of this act or any ordinance passed in pursuance thereof, shall be recovered from the parent, guardian, or master, (if the minor be an apprentice,) of such minor.

Penalties, how recovered.

SEC. 92. That all penalties imposed by law, relating to the city or by this act, by any ordinance of the city, unless otherwise provided, shall be recoverable in the name of the city of Raleigh, before the mayor or any tribunal having jurisdiction thereof.

Penalty not to be larger than twenty-five dollars.

SEC. 93. That the commissioners shall not have power to impose for any offence, a larger penalty than twenty-five dollars, unless the same be expressly authorized, and from any judgment of the mayor for any penalty which is imposed or allowed to be imposed by this act, or for other cause of action herein allowed, the party dissatisfied may appeal in like manner and under the same rules and regulations as are prescribed for appeals from the judgment of a justice of the peace.

Mayor's fees.

SEC. 94. That the mayor shall be entitled to the following fees in cases herein enumerated, whereof, he may have jurisdiction as mayor: for every warrant issued by him for the recovery of any penalty or for other cause of action, twenty-five cents; for every judgment rendered

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thereon, one dollar, to be taxed among the costs; for every warrant issued by him as mayor to apprehend an offender against the criminal laws of the State, under which he may be arrested and recognized to appear before a court of record, one dollar to be taxed, on submission or conviction of the offender, among other costs; for every warrant to arrest individuals who may have fled from other States or counties, two dollars, to be paid on removal of offender by such as may convey him away; for the use of the city seal for other than city purposes, one dollar; for every certificate for other than for city purposes, fifty cents.

Persons may be compelled to work on streets.

SEC. 95. That in all cases where judgments may be entered against any person or persons for fines or penalties, according to the laws and ordinances of any incorporated town, and the person or persons, against whom the same is adjudged, refuses or is unable to pay such judgment, it may and shall be lawful for the mayor before whom such judgment is entered, to order and require such person or persons so convicted to work on the streets or other public works until, at fair rates of wages, such person or persons, shall have worked out the full amount of the judgment and costs of the prosecution.

Penalties under ordinances herein repealed.

SEC. 96. That no offence committed and no penalties and forfeitures incurred under any of the acts or ordinances hereby repealed, and before the time when such repeal shall take effect, shall be affected by the repeal, except that when any punishment, penalty or forfeiture shall have been mitigated by the provisions of the act, such provisions may be extended and applied to any judgment, to be pronounced after the repeal: *Provided*, That no suit or prosecution pending at the time of the repeal for any offence committed, or for the recovery of any penalty or forfeitures incurred under any of the acts or ordinances hereby repealed, shall be affected by such repeal: *Provided, further*, That no law heretofore repealed, shall be revived by the repeal of any act repealing such law: *And provided*

Proviso.

Officer holding.

lastly, That all persons who, at the time when the said repeal shall take effect, shall hold any office under any of the acts hereby repealed, shall continue to hold the same according to the tenure thereof, except those offices which may have been abolished, and those as to which a different provision shall have been made by this act.

May convey lands, &c.

SEC. 97. That the city of Raleigh may convey lands and all other property which is transferable by deed, by deed of bargain and sale or other proper deed, sealed with the common seal, signed by the mayor and two members of the corporation, and attested by a witness.

City property sold at public outcry.

SEC. 98. That the mayor and a majority of the commissioners shall have power, at all times, to sell at public outcry (after thirty days' notice,) to the highest bidder, any property, real or personal, belonging to the city, and apply the means as they may think best. The mayor is authorized to make title to any property sold under this section.

Commissioners may buy land for cemetery.

SEC. 99. That the commissioners may buy and hold either within or without the corporation, as much land as, in the opinion of such commissioners may be sufficient for the purpose of a cemetery, not exceeding twenty-five acres.

Jurisdiction of Mayor.

SEC. 100. The mayor shall have and it shall be his duty to exercise all the jurisdiction, powers and duties given to justices of the peace, in chapter thirty-two of Battle's Revisal, entitled "criminal proceedings" subject to the restrictions and limitations contained in that chapter: *Provided*, That the mayor shall not take jurisdiction of any offence committed beyond the limits of the city.*

Violations of any ordinances, a misdemeanor.

SEC. 101. That any person or persons, violating any ordinance of the city, shall be deemed guilty of a misdemeanor, and shall be subject to the provisions of chapter one hundred and eleven of Battle's Revisal, entitled "towns."

City debts.

SEC. 102. Debts contracted by the city in pursuance of authority vested in it, shall not be levied out of any property belonging to the city and used by it in the discharge and execution of its corporate duties and trusts, nor out

[* See *State* v. *Pender*, 66 N. C. Rep., p. 313, and *Town of Elenton* v. *Wool*, 65 N. C. Rep., p. 379.]

of the property or estate of any individual who may be a subjected to pay said debts according to the course of the law in other cases.

Officer shall turn property over to sucessors.

SEC. 103. The mayor, commissioners, tax collector, and all other officers of the city, who shall on demand, fail to turn over to their successors in office, the property, books, moneys, scales or effects, of the city, shall be deemed guilty of a misdemeanor, and upon conviction, before the Superior Court of Wake county, shall be imprisoned for not more than five years, and fined not exceeding one thousand dollars, at the discretion of the court.

Tax lists.

SEC. 104. All tax lists, which have or may hereafter be placed in the hands of tax collector, shall be, at all times, subject to the control of the authorities improsing the tax, and subject to be corrected or altered by them, and shall be open for inspection by the public, and upon demand the authorities imposing the tax, or their successors in office, shall be surrendered to the authorities for such inspection or correction, and if the tax collector fail or refuse to surrender his list upon such demand, shall be deemed guilty of misdemeanor, and upon conviction, be subject to the penalties imposed by the preceding section.

Borrow money.

SEC. 105. That the board of commissioners may borrow money only by the consent of a majority of the qualified registered voters, which consent shall be obtained by a vote ot the citizens of the corporation after thirty days, public notice, at which time, those who consent to the same shall vote "approved," and those who do not consent shall vote "not approved."

May issue bonds

SEC. 106. That for the purpose of paying present indebtedness of the City of Raleigh, and also for meeting the expense of improvements to be made for the same, the said City is hereby authorized and empowered to issue bonds severally of such sums or denomination, payable at such time or times respectively, drawing interest at such rate, not exceeding eight per cent. per annum, payable half yearly, of such form and tenor, and transfer-

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City shall deem most judicious. The said bonds so to be issued, shall be disposed of upon the best terms practicable: *Provided*, That said bonds be of the denomination of one hundred, and five hundred, and one thousand dollars respectively, and in such proportion as may be deemed advisable: *And provided further*, That said loan shall not exceed fifty thousand dollars, and the bonds having twenty years to run.

Payment of principal and interest.

SDB. 107. That the Board of Commissioners of the City of Raleigh are hereby authorized and empowered, and it shall be their duty to provide for the payment as well of the principal money, as also of the accruing interest of the bonds to be issued under the power granted in the preceding section, by annually laying particular taxes for these special purposes, on all the persons and subjects of taxation on which said Board of Commissioners now are or hereafter may be authorized to lay taxes for any purpurpose whatever, and such taxes shall be collected and specially and exclusively applied to the satisfaction and discharging of the interest, and also of the principal money of such bonds, and so much thereof as may not be annually required to pay such interest, and cannot be applied in discharge of the principal money of said bonds, shall be so invested as to secure the payment of such principal money upon maturity of said bonds. For the purpose of answering the due investment of the amount to be collected from year to year, and applicable to the payment of the principal money of said bonds, the Board of Commissioners aforesaid shall appoint some suitable person to be styled "Commissioner of the Sinking Fund of the City of Raleigh," whose duty shall be, under such general rules and regulations as said Board of Commissioners shall, from time to time prescribe, to make investments of so much of the taxes collected as aforesaid as shall be applicable as aforesaid to the payment of the principal money of said bonds, and to do and perform all such other services in connection with the debt of the able in such way as the Board of Commissioners of said

Commissioner of Sinking Fund.

Bond.

City of Raleigh, as said Board of Commissioners may prescribe. and such Commissioner shall give bond, and receive such compensation for his services as said Board of Commissioners may determine.

When bonds to be disposed of.

SEC. 108. That none of the bonds authorized to be issued by the 109th section of this act, shall be disposed of either by sale, exchange or otherwise, for any purpose whatsoever, other than that declared in said section; nor shall any of said bonds be applied either by sale, exchange or otherwise, in satisfaction, discharge or renewal of any one of the class of debts referred to in said section, until such debt shall have been first duly audited and approved by the board of commissioners of the city of Raleigh.

To be submitted the qualified voters.

SEC. 109. The provisions of this act shall be submitted to a vote of the qualified voters of the city of Raleigh at an election to be held at the court house in said city, at a day to be designated by the commissioners thereof, which shall not be less than thirty days after the ratification of this act. Those approuing the provisions of this act, shall deposit in the ballot-box, a slip folded, containing the printed or written word "approved." Those disapproving the same, shall deposit a like ballot with the words "not approved." If a majority shall vote "approved," it shall be deemed and held that a majority of the qualified voters are in favor of giving the commissioners authority to issue the bonds of the city as mentioned in this act, and likewise to levy and collect the necessary taxes to pay the interest and principal of said bonds as above mentioned. If a majority of said voters shall vote "not approved," then this act shall be of no effect. Those qualified to vote for mayor and commissioners of said city and none others shall be allowed to vote, and the election shall be held and returns made, under such rules and regulations as exist in case of election of civil officers. It shall be the duty of the mayor to cause a copy of this act to be posted at the court house door, and to be published in the Raleigh *Standard* and *Sentinel* daily, for twenty days preceding the election,

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and he shall publish in like manner, a notice of the election. Public notice shall be given of the result of the election. The commissioners shall have power, conveniently with the law of the State, to provide for the registration of voters, and to take all measures necessary and prefer for holding the election as contemplated in section.

Majority to decide.

SEC. 110. That the commissioners of the city of Raleigh may appoint one or more inspectors of wood and coal, whose term of office shall continue one year from the date of the appointment, and said appointee or appointees, shall take and subcribe an oath for the faithful performance of his or their office, and the duties of said officer shall be prescribed by a majority of said board of commissioners at a regular meeting and at no other; and the said board in said regular meeting convened, may fix the pay of such inspector or inspectors, and shall pay, the buyer or seller: *Provided*, That nothing herein contained shall, in any manner, apply to wood or coal purchased by or for the State of North Carolina, or any department or agency thereof.

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APPENDIX

"An Act to protect the City of Raleigh from Accident by Fire.

SEC. 1. That the city of Raleigh shall have power to issue and sell bonds of the corporation bearing a rate of interest not exceeding eight per cent., the denominations, description, (whether coupon or otherwise,) length of time to run and other incidents thereof to be determined by the commissioners of said city, said bonds not to exceed in the aggregate fifteen thousand dollars: *Provided*, That said bonds shall not be sold at a discount greater than fifteen per cent.

Application of proceeds.

SEC. 2. The proceeds of the sale of such bonds shall be applied to the making of at least thirty cisterns in said city, to be located at such points as the commissioners may determine the same, to be used for the purpose of holding a supply of water ready for the extinguishment of fires.

Not to pay interest.

SEC. 3. It shall be the duty of the commissioners of the city of Raleigh to levy and collect an annual tax on real and personal property, sufficient to pay the amount of interest on said bonds and also to create a sinking fund sufficient to discharge the principal in twenty years.

Trustees.

SEC. 4. Three trustees shall be elected by the commissioners, none of whom shall be a commissioner, and each of whom shall be the owner in his own right of at least two thousand dollars real estate unincumbered in the city, for the purpose of managing and investing the proceeds, of the tax levied for creating the aforesaid sinking fund. The tax collector of the city shall pay over to said trustees all the proceeds of said taxes, and said trustees shall, from time to time, pay the interest on the said bonds, and the balance of said taxes they shall invest in bonds of the city

of Raleigh or in United States bonds. The interest of such investment shall be invested likewise in like securities as fast as the same shall be collected.

SEC. 5. This act shall not go into operation until ratified by a majority of the property holders who are electors of the city of Raleigh, voting at an election to be held after the first Monday of May, one thousand eight hundred and seventy-one. Thirty days notice being given of said election, (a copy of this act accompanying said notification,) by advertisement in the Raleigh *Telegram* and *Sentinel* daily, and by posting at the court house door.

Ratified, 4th April, A. D., 1871.

NOTE.—This Act has not been submitted to a vote as yet, and therefore, is not in force.—J. C. L. H.

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ERRATA.

Page 5, at the end of section 13 add the following:

"The voter shall designate on his ballot the person for whom he votes as mayor, and the persons for whom he votes as commissioners, otherwise, the vote shall not be counted."

Page 8, section 30, in line 7, read—"his duties at the Board," instead of—"the duties of the Board."

Page 9, section 32, line 5, read "four," instead of "two."

Page 13, section 53, sub-division 1, read—"one dollar," instead of "fifty cents."

Page 16, sec. 59, line 3, read—"was," instead of "has."

Page 16, sec. 61, line 3, read—"fee," instead of "full."

Page 18, sec. 64, sub-division 4, read—"thirty," instead of "twenty-five."

Page 22, section 77, line 4, insert after the word "offending," the following—"shall forfeit and pay to the city one hundred dollars," and after the word "be" in same line and section, insert the word "deemed."

Page 23, sec. 81, line 6, read—"erect" for "create."

Page 24, sec. 88, line 7, insert after the word "without," the word "such;" and, in same section, line 12, read "every" for "any."

SECTION 111. That the present corporate limits of the city of Raleigh shall be extended one-quarter of a mile in every direction around said city, north, south, east and west; and, that the boundary line shall run parallel with the old boundary until the line shall intersect at each corner; and all east of the middle ward shall be the east ward, and all west of the middle ward shall be the west ward, and the middle ward shall receive its portion of each end.—Act of 1856-'7, chap. 98.

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